



Related MLN Matters Article #: MM3942

Date Posted: October 7, 2005

Related Change Request: 3942

*MMA - Changes to Chapter 29 - Appeals of Claims Decisions: Redeterminations and Reconsiderations (Implementation Date: May 1, 2005)*

### Key Words

MM3942, CR3942, R697CP, Reconsideration, Redetermination, Appeal, MM3530, CR3530, Independent, Contractor, QIC, MMA

### Provider Types Affected

Physicians, providers, and suppliers who submit claims to Medicare for services

### Key Points

- The effective date of the instruction is May 1, 2005.
- The implementation date is January 9, 2006.
- The Benefits Improvement and Protection Act of 2000 (BIPA) amended Section 1869(c) of the Social Security Act (the Act) to require a new second level in the administrative appeals process called a *reconsideration*.
- A request for reconsideration must be filed within 180 days of the date of receipt of the notice of redetermination.
- For requests filed in writing, the date received is defined as the date received by the Qualified Independent Contractor (QIC) in the corporate mailroom.
- Requests for reconsideration of appeal decisions (redeterminations) should go either to the QIC, or the Hearing Officer (HO), when the redetermination was issued by a carrier prior to January 1, 2006.
- Please refer to the table on page 2 of Medlearn Matters Article MM3942 (located at the link below) for further clarification on where to send the requests for reconsideration.

## Important Links

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3942.pdf>

<http://www.cms.hhs.gov/Transmittals/downloads/R697CP.pdf>

*Medicare Claims Processing Manual, Chapter 29 - Appeals of Claims Decisions, 310.2, 310.3*, can be found at <http://www.cms.hhs.gov/manuals/downloads/clm104c29.pdf> on the CMS web site.

MLN Matters article MM3530 - "MMA - Revisions to Medicare Appeals Process for Fiscal Intermediaries **Revised: 4/12/2005**" (CR Title - Appeals Transition - BIPA 521 Appeals), can be found at <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3530.pdf> on the CMS web site.

Change Request CR3530, "Revisions to Medicare Appeals Process for Fiscal Intermediaries **Revised: 4/12/2005**" (CR Title-Appeals Transition – BIPA 521 Appeals), can be found at <http://www.cms.hhs.gov/Transmittals/downloads/R146OTN.pdf> on the CMS web site.